

**HAMPTON BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
MINUTES
August 30, 2004 7:00 PM**

PRESENT: William H. Sullivan, Chairman, Virginia Bridle, Vice Chairman,
James Workman, Cliff Pratt, Rick Griffin
James Barrington, Town Manager
Karen Anderson, Administrative Assistant

PUBLIC HEARING: The Board of Selectmen held a public hearing to take comments from the public in regard to the town's purchase as recommended by the Planning Board and Conservation Commission of the consisting of 23 acres located at Map 110, Lot 3 C, fronting on Barbour Road for conservation use. This was the first hearing of two as required by RSA 41:14-a.

There were no public comments.
The second hearing will be on September 13, 2004.

I. SALUTE TO THE FLAG

The Board of Selectmen led the audience in the flag salute.

II. ANNOUNCEMENTS

Seafood Festival

Mr. Pratt reminded the public that the Seafood Festival will be held from Friday, September 10th to Sunday, September 12th. The Festival is free on Friday.

Mr. Sullivan announced that the Chamber of Commerce is still in need of volunteers for the Festival and anyone interested is urged to call 929-0088.

Annual Pig Roast

The Hampton Historical Commission will be holding their annual Pig Roast on September 18th at Tuck Field. Mr. Pratt noted that this is the major fund-raiser for the Historical Society and tickets are available for \$20.

Drive Carefully

Mr. Workman noted that school will soon be back in session and reminded drivers to be aware of the children.

Channel 22

Mr. Sullivan commended the Channel 22 crew on the recent interviews they have been producing on the history of Hampton. The guests have been excellent and the shows are enjoyable and informative.

State Primary

Voters were reminded that September 14th is the State Primary at the Marston School.

III. APPOINTMENTS

1. Julie Iffland, Trust For Public Land, Re: Update on the status of the Hurd Farm

Ms. Iffland was unable to attend and Mr. Barrington asked if the Board had reviewed the information submitted and if they wanted to reschedule the appointment. Mr. Pratt said that he reviewed the information submitted and he would like to have the opportunity to clarify some of the dates and closing details. Mrs. Bridle agreed. Mr. Barrington said that he will contact Ms. Iffland to reschedule.

2. Arleen Andreozzi, Town Clerk: Re: Update on elections, E-Reg, and Dog Licenses

Mrs. Andreozzi told the Board that while she had attempted to computerize the voter check-in for the upcoming State Primary, the election will continue to be on the manual system. She explained that she has some concerns with the software at this time. Mrs. Andreozzi told the Board that the requests for absentee ballots for the Primary have been light, with only 100 out at this time, although she anticipates that the Presidential Election will have a large turn-out.

Mrs. Bridle asked that Mrs. Andreozzi confirm the food service for the election workers as Mrs. Stiles has retired. Mrs. Andreozzi will take care of that. Mr. Sullivan asked if a person who is registered with one party can change their party the day of the election. Mrs. Andreozzi said that they could not and only independents can choose their ballot at the day of the polls. Party changes must be made 90 days prior to the Primary.

Mrs. Andreozzi explained to the Board that the State and the software providers of E-Reg have come to terms and Hampton will have the opportunity to provide on-line car registrations in the near future.

Registered dogs now total 1,436 of 1,623. She explained that there are 124 registrations that have not been renewed and 64 dogs that have never been registered. She asked the Board what action they would like taken, and if a forfeiture letter should be sent. Mrs. Andreozzi requested that if forfeiture letters are to be sent they should be issued through the Animal Control Officer at the Police Department. Mrs. Bridle said that the best way is to be done through the ACO, but she did not want to overwhelm him. Mrs. Andreozzi said that the letters can be mailed rather than delivered by hand. Mr. Pratt said that the number of dogs unregistered has gone down quite a bit but they all need to be registered.

3. Attorney Mark Gearreald, Re: 5 Shaw Street

Attorney Gearreald told the Board that the matter at 5 Shaw Street that he would like to discuss with them has to do with a garage at the rear of the property. The roof of the building collapsed on August, 2003 and to date, the repairs or removal of the garage have not taken place after repeated contacts by the Building Inspector. The garage now is in danger of damaging the adjacent property. Attorney Gearreald told the Board that there is a statutory remedy for this situation through the dilapidated building procedure handled through the District Court. There is a requirement under the statute that the owners and lien holders of record be served notice. Attorney Gearreald said that the advantage of using this method is that it can be specific to this action and the costs of the procedure can be recovered by the Town, whereas the building code procedure does not allow for that. The first step in the procedure is for the Board of Selectmen to issue a Selectmen's Order to raze the building.

Mr. Griffin said that it appears that something needs to be done. Attorney Gearreald said that after the order is signed it will be sent to the respective Sheriff's Departments for service.

Mr. Workman MOTIONED that the Board of Selectmen sign the Selectmen's Order under RSA155-B2 for the garage at 5 Shaw Street.

Mr. Griffin SECONDED

VOTE: UNANIMOUS FOR

III. OLD BUSINESSTown Manager's Report2005 Budget Preparation

Mr. Barrington told the Board that this past weeks have been busy with departmental budget reviews.

Mr. Barrington reminded the Board that there were a couple of questions that Bob Estey had asked the Board, at least one of which that will have budgetary implications. That question was regarding the Board's wishes concerning hiring a new data collector to do annual re-measure and re-list evaluations to maintain current status of assessment throughout the town.

Polling Place Compliance with ADA

Public Works Director John Hangen, Town Moderator Bob Casassa, Town Clerk Arleen Andreozzi, and the Town Manager met to discuss the ADA issues raised by the Attorney General's office for the polling place. A plan has been reached for addressing the issues and a response has been sent to the Attorney General's office.

Mr. Barrington said that as he was looking into the lighting situation for the polling place, a question of scope has arisen that he would like some clarification on. In talking with Former Moderator Paul Lessard and Town Clerk Arleen Andreozzi, he was led to believe that only a small handful (less than 5) individuals come forward with concerns about the lighting. Town Clerk Andreozzi confirmed that she has only heard a couple of concerns about lighting. The suggestion had been made by former Moderator Lessard to put small lamps in the handicapped voting booths and noting those booths for the visually impaired.

Five-Corners

Mr. Barrington reported that the town has hired Simard Construction to repair the sink holes at 5-corners. They were the low bidder at \$9,770, and expect to mobilize early next week. They expect the work to take about a week.

Exeter Road Bridge

Mr. Barrington told the Board that the town has received the reimbursement from the Department of Transportation for the Exeter Road Railroad Bridge project.

Pending Projects

The status of the pending project list was updated with Mr. Barrington noting that the Marelli Square sidewalk is awaiting repair work by the building owner.

Street Work

Mr. Barrington reported that street paving is being done this week on Stowecroft Drive, Langdale Drive and Drakeside Road. Work is scheduled for later in the week on Milbern Avenue and Blake Lane is scheduled for work later this week.

Mr. Barrington noted that the Board of Selectmen has received a letter from a resident with drainage concerns at 200 Exeter Road. He explained that there has been quite a bit of work done over the years on the drainage problem at that location and further work is planned to alleviate the ongoing problem.

District Court

Mrs. Bridle asked the Town Manager why he was on Channel 9 this evening. Mr. Barrington said that Channel 9 came to his office this afternoon to discuss the conditions of the courthouse building and the dilemma facing both the Town and the State in regard to the building. Mrs. Bridle asked how Channel 9 found out about the fleas in the courthouse. Mr. Barrington said that he did not know, but assumed it was through a court employee. Mr. Barrington said that the fleas have been removed but there continues to be an ongoing problem with squirrels, pigeons and just this morning the town was notified that storm windows were falling out. Mr. Barrington told the Board that he has arranged to have the windows repaired in the morning. He added that the lease expires on June 30, 2005 with the State having a unilateral option to renew the lease for two years. Mr. Barrington said that there are a lot of problems with that building but it is his understanding that locating a new court house has been put on hold until the decision has been made on whether the Hampton and Exeter courts will be combined. Chief Wrenn reported that he understands that the State is looking at the communities to actually build the courthouse for the State.

Gazebo Walkway

Mr. Griffin asked if additional bricks for the gazebo walkway are going to be sold. Mr. Barrington said that the request had been to change a brick, but the integrity of the walk could be jeopardized. He said that at this time there are no further sales being contemplated.

Town Clock

Mr. Griffin told the Board that he has received a call about the town clock and understands that there may be people interested in organizing some fundraising to restore the clock. Mr. Pratt said that the restoration of the clock was looked at by the Heritage Commission, and it was debated extensively. He said that the Heritage Commission came to the conclusion to sell the parts and use the proceeds to restore the bell and one face and display them in some manner. Mr. Griffin said that this may be something that the Board needs to discuss further.

Mr. Pratt said that there is a person that auctions antique clock parts that Mr. Page knows of and Mr. Barrington was going to talk to him. Mr. Pratt said that if a group wants to fundraise to save the clock that would be worth discussing. Mr. Griffin said that he understands that there is a group being formed now which includes Mr. Weber, who is an expert with this type of clock.

Voting Booth Lighting

Mr. Workman said that the lighting in the booths has been an issue for a few people every year and he feels the addition of some lamps in a few booths that are well marked would be a good start. Mr. Sullivan said that he thinks the temporary lighting would be a good thing. Mr. Barrington said that the electrical inspector had concerns with the voltage and wiring with the use of temporary lighting. Mr. Sullivan said that the problem is often with the booths that are along the side of the stage. The Board agreed to try using some lamps for the primary to see if it helps.

Lafayette Road

Mr. Workman noted that the mowing on Lafayette Road was done and it looks great. Mr. Sullivan added that the gentlemen who owns the new building was out cutting the median strip and that is appreciated.

Drakeside Road/Nigrelli Proposal

Mr. Griffin asked the Board what their feelings were regarding the variances being requested on Drakeside Road for the new project of Mr. Nigrelli. Mr. Griffin said that the town is an abutter on three sides and a variance was recently granted by the Zoning Board of Adjustment for height. Mr. Griffin said that a variance was not needed for parking after a floor was removed from the building. He was not sure if the action can be appealed. Mr. Barrington said that if the Board of Selectmen desires to make an appeal it must be done within 30 days. Mr. Griffin said that he was not sure if he was able to speak on behalf of the Board and he does not feel the Board's views were expressed at the public hearing. Mr. Workman said that it was his understanding that when he was on the Planning Board he was able to step down and then express the Board's feelings. The Board agreed to put this as an agenda item for the September 16th meeting.

Sidewalk Curb Cuts/Beach Infrastructure

Mrs. Bridle asked what the appeal process is for citizens that are not happy with the driveways and curb cuts that have been designed by Faye, Spofford & Thorndike. Mr. Barrington said that he will be meeting with FST tomorrow to coordinate with the utilities and in conjunction with that meeting he anticipates discussing many of the problems. Mr. Barrington explained that FST reported to him that about ½ of the residents attending the recent meetings were satisfied with the proposals and of the other half, many were resolved. There are some problems that will be brought to him for a resolution and if that is not successful, the residents next appeal would be to the Board of Selectmen.

Mr. Sullivan told the Board that while he was away he saw a notice that a town with a similar seasonal population holds an informational meeting for the seasonal residents to update them on the activities of the town, the budget issues and other matters. He said it would be too late this year for Hampton to do something like that, but thought that the Board of Selectmen would like to consider holding such a meeting in the future to keep the taxpayers and seasonal residents more informed.

V. NEW BUSINESS**Highway Safety Requests**

The Board of Selectmen reviewed the memos from the Highway Safety Committee and understand that signage is being requested for Winnacunnet Road, by Wine Chiropractic to require parallel parking and that the sign on High Street at Dearborn Avenue needs to be relocated. Mr. Barrington suggested that when the crosswalk is repainted on High Street that it be located closer to the intersection. Mr. Barrington told the Board that Public Works will be taking care of those two matters.

Mr. Pratt said that there have been a couple of similar requests brought to him and he recommends that requests be brought to the Highway Safety Committee.

Assessing Data Collector

Mrs. Bridle said that the Assessor was looking for a recommendation from the Board of Selectmen on hiring a full-time data collector or using a private company for the remeasure/relist work. Mrs. Bridle said that she had a concern with the wage scale and benefits costs that was proposed and asked if two part-time people could be used in order to save the expense of benefits. Mr. Barrington said that the position would provide a constant ongoing remeasure/relist instead of paying a contract every ten years and the quality control would be better with an employee. Mr. Barrington said that he feels there are pros and cons with both options.

Mr. Sullivan said that a recurring complaint he has heard is with the valuations of the properties increasing. He said that Board's intent of trying to hold the tax rate stable has still resulted in an increase in taxes for several areas of town. Mr. Sullivan said that Mr. Estey has reported that he may not be able to move forward with the reassessments next year so the data collector may not be needed.

2005 Budget

Mrs. Bridle asked what Mr. Barrington's directive was to the department heads for the 2005 budget. Mr. Barrington said that specific direction was not given early on, and that his intention is to present a reasonable, responsible budget while at the same time showing the public what is needed. Mr. Barrington said that he is cognizant of people's ability to pay. He explained that as the process goes forward he is seeing some requests for new positions that are well justified and other positions being requested that he is not convinced are necessary at this time. By Sept 13th he will have a much clearer picture of the budget for the Board.

Legislative Update

Mr. Sullivan asked if the Board, after the Primary, would like to have the State Representatives come in and update the Board. Mr. Pratt said that it would be more appropriate after October when they are back in session. Mr. Barrington said that they should come in prior to the deadline for submitting bills and the Board agreed that would be a good time.

Bourn Avenue

Mr. Sullivan said that the area on Bourn Avenue that floods regularly flooded again during the recent heavy rains. Mr. Sullivan asked what is being done to rectify that situation that has continued over the years. Mr. Barrington said that they try to send manpower down with pumps to drain the "bowl" during heavy rains and that some engineering work was done about five years ago that indicated that there was a way to drain the water across a property, although an easement could not be secured from the property owner. Mr. Barrington said that the property is in an estate now and it may be worthwhile to try and get the easement at this time. He added that the Town always has the option of eminent domain to do the work.

IV. MINUTES

The minutes of August 23, 2004 were accepted as amended. Mr. Pratt requested that a notation be added to the announcement regarding the Seafood Festival to show that the Festival is free on Friday evening.

Correction: Page 1- The Hampton Beach Commission would not be meeting on August 26th.

Mr. Workman MOTIONED that the Board of Selectmen meet in a non-public session at the conclusion of the non-meeting with Attorney Gearreald under RSA 91-A:3 II (a) for personnel.

Mrs. Bridle SECONDED

VOTE: UNANIMOUS FOR

V. CONSENT AGENDA

1. Land Rent Abatement – 11 Epping Avenue
2. MS-1

The owner of 925 Silver has requested to be reconsidered for a sidewalk sale permit, after removing the items that were a safety concern. The Board did not reconsider the permit application due to late filing. Mr. Workman requested that the list of approved vendors be provided to the Police Department and Chamber of Commerce for enforcement.

Mr. Workman MOTIONED that the Board of Selectmen approve the consent agenda.

Mr. Griffin SECONDED

VOTE: UNANIMOUS FOR

VI. PUBLIC COMMENTS

Mr. Robert Weber, 495 Lafayette Road told the Board that he was disturbed by the decision of the Board last week to sell the parts of the clock. He explained that he has bought and sold many tower clocks and is experienced with the restoration of these clocks. Mr. Weber recommended that the Town retain the clock for historical value. Mr. Weber told the Board that a reputable firm that he spoke with last week estimates that they can restore the clock for \$30,000, less that the original estimate the town received of \$39,000. Mr. Weber told the Board that he along with Mr. Dignam, Mr. Vic Lessard and Mr. Jack Lessard are willing to form a committee to raise the funds for the restoration and asked the Board's support with this. The Board will discuss this further at the September 13th meeting.

Mr. Vic Lessard said that the Board of Selectmen used to meet at the beach twice a year, and he feels that Mr. Sullivan's suggestion is a good idea, however the meeting can't wait until Labor Day. He said that the Board needs to meet with the seasonal residents in the spring and again in August. Mr. Lessard told the Board that Port Orange, Florida sends out a newsletter to all taxpayers quarterly and he suggested that a similar newsletter be provided to residents and taxpayers outlining upcoming activities and asking the opinion of the taxpayers that may not even be voters. He suggested that the Precinct Commissioners and the Board of Selectmen could work together on this. Mr. Workman said that the Precinct currently produces a newsletter twice per year, Precinct Pen.

Mr. Lessard said that he is aware of some property encroachments at the beach that had come before various boards in Town that were allowed to stay in place, with the understanding that they would be removed if the town needed it done.

Mr. Sullivan told the Board that he recently received a letter from a resident that was handwritten on yellow paper that he was unable to read and if the resident would like to contact him they are welcome to do so.

VI. ADJOURNMENT

Mr. Workman MOTIONED that the meeting be adjourned. (8:26 PM)

Mr. Griffin SECONDED

VOTE: UNANIMOUS FOR

Chairman

